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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.            | CONFIRMATION NO.       |
|---|-------------|----------------------|--------------------------------|------------------------|
| 10/598,831  | 09/13/2006  | Toong Chuan Yong     | 1237.P006US/GDL/jt             | 1973                   |
| 38556 7590 02/05/2010<br>LAWRENCE Y.D. HO & ASSOCIATES PTE LTD<br>30 BIDEFORD ROAD, #02-02, THONGSIA BUILDING<br>SINGAPORE, 229922<br>SINGAPORE |             |                      | EXAMINER<br>KATCHEVES, BASIL S |                        |
|   |             |                      | ART UNIT<br>3635               | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>02/05/2010        | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                    |  |
|------------------------------|--------------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/598,831 | <b>Applicant(s)</b><br>YONG ET AL. |  |
|                              | <b>Examiner</b><br>BASIL KATCHEVES   | <b>Art Unit</b><br>3635            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 14-17, 19, 20, 21, 22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) 13 and 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-17, 19, 20, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Double Patenting***

Claims 1-3,12,14-16,19 and 22 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over U.S. Patent No. 7,478,469. Although the conflicting claims are not identical, they are not patentably distinct from each other.

Claims 1-3, 14-16 and 22 are substantially similar to claim 1 of '469.

Claim 19 is substantially similar to claim 5 of '469.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-11, 14-17, 19, 20, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,589,240 to Kendall et al. as in the previous action.**

Regarding claims 1 and 14, Kendall discloses a door panel (abstract) made of two skins, one overlaying the other, with profiled edges engaging each other (fig. 1: 18 and 18a) forming a channel (see area between edges) and a locking means (20c) inside the channel. However, Kendall does not particularly disclose the use of the panel being mounted to a work surface. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a work surface since there would be no other reasonable way to assemble the panels. A work surface could be a various machinery or table surfaces commonly found in factories or on-site work spaces.

Regarding claims 2, 3, 15 and 16, Kendall discloses the panel as a door (abstract).

Regarding claim 4, the method step of sliding one skin over the other is not particularly disclosed. It would have been obvious to one having ordinary skill in the art

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at the time the invention was made to slide one side into the other since the channels are shaped to snap over or slide into engagement, or both. This would be an obvious design choice.

Regarding claim 5 Kendall shows one skin over the other.

Regarding claims 6 and 7, Kendall does not disclose the metal skins as distorted but does disclose the metal channels as tensioned in a resilient manner. The applicant should note that as claimed, the limitation of distorted, for claim 6, may be construed as tensioned (distorted) and for claim 7 may be construed as not bent ( not distorted) out of shape.

Regarding claims 8 and 17, Kendall discloses the edges as complimenting each other on their engagement edges (end hooks).

Regarding claim 9, Kendall discloses the engagement members as brought together by the locking means (fig. 1) which holds the panel together.

Regarding claims 10 and 11, Kendall discloses the locking means as inherently permanent or non permanent (reversible) as a design choice since it can be dis-assembled. This is a desired function which it is capable of performing.

Regarding claims 19 and 20, Kendall discloses the locking means as having a bar shape wedged between skins.

Regarding claims 22 and 23, Kendall discloses one side as longer and one side as shorter (fig. 5).

### **Response to Arguments**

Applicant's arguments filed 11/26/09 have been fully considered but they are not persuasive. The applicant argues the double patenting rejection because '469 does not teach "engaging the at least one profiled edge of said second skin with the at least one profiled edge of the first skin to form a channel" and providing a locking means. However, the applicant should note that the claimed limitations of the instant application are more broad than that of '469 and call only for the edges to be locked together. This is met by '469.

Regarding the prior art rejection of Kendall and Allwein, the applicant argues that the prior art, Kendall, requires force to lock the panels together as the instant application does not require force. The applicant should note that the prior art still reads upon the structural limitations of the instant application. Also of note, the force to push two panels toward each other would be inherent in any panel construction since the panels must move toward each other. The amount of force is relative. The applicant also argues that Kendall does not disclose disassembly of the panel. The applicant should note that the rejection above is an obviousness rejection and since the method of assembling the panel meets the structural limitation of the instant application, as claimed, the disassembly, or assembly in reverse, would have been obvious to one in the art at the time of the invention. The applicant also argues the intended use of components of the prior art. The applicant should note that these components contain the limitations of the instant application and may function in the same manner.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Basil Katcheves whose telephone number is (571) 272-6846. The examiner can normally be reached on Monday-Friday from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot, can be reached at (571) 272-6777.

/Basil Katcheves/

Primary Examiner, Art Unit 3635